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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Colombia*: draft resolution

Right to development

The General Assembly,

Reaffirming the Declaration on the Right to Development,[1] which it proclaimed at its forty-first session, and noting that the Declaration represents a landmark and meaningful instrument for countries and people worldwide;

Reaffirming also the commitment contained in the Charter of the United Nations to promote social progress and better standards of life in larger freedom,

Recalling its previous resolutions and those of the Commission on Human Rights relating to the Right to Development,

Also recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2] which reaffirms the right to development as a universal and inalienable right and an integral part of

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* On behalf of the Member States of the Movement of Non-Aligned Countries.

[1] Resolution 41/128, annex.

[2] A/CONF.157/24 (Part I), chap. III.

fundamental human rights and reaffirms that the human person is the central subject of development,

Emphasizing that development-oriented approaches to the promotion of human rights, as expressed by the Declaration on the Right to Development, constitute an important contribution to the development and strengthening of alternative approaches to the promotion of all human rights,

Further recalling that in order to promote development equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights, and recognizing that all human rights are universal, indivisible, interdependent and interrelated, and that the universality, objectivity, impartiality and non-selectivity of the consideration of human rights issues must be ensured,

Also recalling the principles proclaimed in the Rio Declaration on Environment and Development of 14 June 1992,[3] noting the deliberations of the General Assembly at its nineteenth special session, and expressing concern that five years after the adoption of the Rio Declaration, the overall trends for the realization of sustainable development and its impact on the right to development are worse today than they were in 1992 and the commitments made then have not been fulfilled,

Mindful that the Commission on Human Rights continues to consider this matter, which is directed towards the implementation and further enhancement of the right to development,

Noting the increasing need for coordination and cooperation throughout the United Nations system for a more effective promotion and realization of the right to development,

Recognizing that the Office of the United Nations High Commissioner for Human Rights has important roles to play in the promotion, protection and realization of the right to development, including to seek enhanced support from the relevant bodies of the United Nations system for this purpose,

Reaffirming that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

Also recognizing that the implementation of the Declaration on the Right to Development requires effective development policies and support at the international level through the effective contribution of States, organs and organizations of the United Nations system and non-governmental organizations active in this field,

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[3] Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I, Resolutions Adopted by the Conference (United Nations publication, Sales No. E.93.I.8 and corrigenda), resolution 1, annex I.

Expressing its concern at the lack of participation of developing countries in the decision-making process at the global level on macroeconomic policy issues with far-reaching impacts on the world economy, with negative implications for the exercise of the right to development in developing countries,

Reaffirming the need for action by all States at the national and international levels to realize all human rights, and the need for relevant evaluation mechanisms to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development,

Also reaffirming that all States should promote the establishment, maintenance and strengthening of international peace and security, and to that end should do their utmost to achieve general and complete disarmament under effective international control and to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of developing countries,

Noting that aspects of the Programme of Action of the International Conference on Population and Development[4] adopted by the Conference on 13 September 1994, the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development[5] adopted by the Summit on 12 March 1995, the Beijing Declaration and Platform for Action[6] adopted by the Fourth World Conference on Women on 15 September 1995, and the Istanbul Declaration on Human Settlements and Habitat Agenda[7] adopted by the United Nations Conference on Human Settlements (Habitat II) at Istanbul on 14 June 1996 are relevant to the universal realization of the right to development, within the context of promoting and protecting all human rights,

Affirming the need to apply a gender perspective in the implementation of the right to development, inter alia, by ensuring that women play an active role in the development process,

Expressing concern that more than 10 years after the adoption of the Declaration on the Right to Development, obstacles to the realization of the right to development still persist at both the national and international levels, and that new obstacles have emerged to the rights stated thereto,

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[4] Report of the International Conference on Population and Development, Cairo, 5-13 September 1994 (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[5] Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995 (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[6] Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[7] A/CONF.165/14, chap. I, resolution 1, annexes I and II.

including the negative effects of globalization on the right to development, particularly in developing countries,

Expressing further concern that the Declaration on the Right to Development is insufficiently disseminated and should be taken into account, as appropriate, in bilateral and multilateral cooperation programmes, national development strategies, and policies and activities of international organizations,

Having considered the note by the Secretary-General on the right to development,[8] prepared pursuant to General Assembly resolution 51/99,

1. Takes note of the report of the Secretary-General;

2. Reaffirms the importance of the right to development for every human person and all peoples in all countries, in particular the developing countries, as an integral part of fundamental human rights and its contribution to the alternative approaches to the fuller enjoyment of all human rights whose full potential has still to be adequately realized;

3. Recognizes that the Declaration on the Right to Development[1] constitutes an integral link between the Universal Declaration on Human Rights[9] and the Vienna Declaration and Programme of Action[2] through its elaboration of a holistic vision integrating economic, social and cultural rights with civil and political rights;

4. Reiterates its commitment to implementing the results of the World Conference on Human Rights, which reaffirms that all human rights are universal, indivisible, interdependent and interrelated, and that democracy, development, and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing;

5. Also reiterates that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic environment at the international level;

6. Stresses that the selective interpretation and application of human rights should not be used as an instrument of trade protectionism or leverage for narrow economic or commercial ends, or to constrain unfairly the legitimate development programmes of countries;

7. Requests the Secretary-General, in implementing his measures and proposals for the reform of the United Nations,[10] to place emphasis, as a matter of high priority, on the promotion and realization of the right to development;

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[8] A/52/473.

[9] Resolution 217 A (III).

[10] See A/52/303.

8. Calls upon the Commission on Human Rights to consider carefully the report of the second session of the Intergovernmental Group of Experts to elaborate a strategy for the implementation and promotion of the right to development, as set forth in the Declaration on the Right to Development, in its integrated and multidimensional aspects, bearing in mind the conclusions of the Working Group on the Right to Development established by the Commission on Human Rights in its resolution 1993/22 of 4 March 1993, and the conclusions of the World Conference on Human Rights and of the United Nations Conference on Environment and Development, the International Conference on Population and Development, the World Summit for Social Development, the Fourth World Conference on Women and the United Nations Conference on Settlements (Habitat II);

9. Notes the efforts made by the United Nations High Commissioner for Human Rights within her mandate, and encourages her to continue the coordination of various activities with regard to the implementation of the right to development, including a programmatic follow-up to the establishment in the Office of the United Nations High Commissioner for Human Rights of a separate new branch with staff dealing specifically with the promotion and realization of the right to development, as well as with commensurate levels of services and resources as part of the effort to implement the Vienna Declaration and Programme of Action, bearing in mind that the actions taken so far to that effect have been insufficient, to the detriment of the priority treatment that the right to development ought to be given;

10. Requests the Commission on Human Rights at its next session to:

(a) Examine ways and means to provide the Declaration on the Right to Development with a profile commensurate with its importance;

(b) Also examine the desirability of the inclusion of the Declaration on the Right to Development in the International Bill of Human Rights, on an equal footing with the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights[11] and the International Covenant on Economic, Social and Cultural Rights;[11]

11. Also requests the United Nations High Commissioner for Human Rights, within her mandate, to continue to take steps for the promotion, protection and realization of the right to development, by, inter alia, drawing on the expertise of the funds, programmes and specialized agencies of the United Nations system related to the field of development;

12. Requests the Secretary-General to inform the Commission on Human Rights at its fifty-fourth session and the General Assembly at its fifty-third session of the activities of the organizations, funds, programmes and specialized agencies of the United Nations system for the implementation of the Declaration on the Right to Development, as well as obstacles identified by them to the realization of the right to development;

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[11] Resolution 2200 A (XXI), annex.

13. Calls upon all Member States to make further concrete efforts at the national and international levels to remove the obstacles to the realization of the right to development;

14. Calls upon also the Commission on Human Rights to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration on the Right to Development, including comprehensive and effective measures to eliminate obstacles to its implementation, taking into account the conclusions and recommendations of the Global Consultation on the Realization of the Right to Development as a Human Right, the reports of the Working Group on the Right to Development and the report of the Intergovernmental Group of Experts to elaborate a strategy for the implementation and promotion of the right to development;

15. Encourages all States to address, within the declarations and programmes of action adopted by the relevant international conferences convened by the United Nations, the elements for the promotion and protection of the principles of the right to development as set out in the Declaration on the Right to Development;

16. Requests the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-third session;

17. Decides to consider this question at its fifty-third session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".